



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,734	03/25/2002	Toshiyuki Toyofuku	KYOW:055	9710

7590 04/14/2003  
Parkhurst & Wendel  
1421 Prince Street  
Suite 210  
Alexandria, VA 22314-2805

EXAMINER

GHATT, DAVE A

ART UNIT	PAPER NUMBER
----------	--------------

2854

10

DATE MAILED: 04/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/070,734

Applicant(s)

TOYOFUKU ET AL.

Examiner

Dave A Ghatt

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi (JP 07-061081). As illustrated in Figures 1-6, Yamaguchi teaches a holding mechanism for holding a replacement ink ribbon comprising a feed bobbin U provided at one end of a strip film 2, and a reel bobbin R at the other end of strip film 2. Yamaguchi teaches a first holding member having a feed bobbin receiving portion (the inner walls including elements 13), and a reel bobbin receiving portion for receiving and holding the reel bobbin (also inner walls including elements 13). Yamaguchi also teaches an opening, generally illustrated at 1, with a second holding member 3 having a plate-shape for covering the opening of the first holding member.

With respect to claim 2, as outlined in the abstract, Yamaguchi teaches that the holding means prevents winding slack. As illustrated in Figure 1, the bobbin receiving portions (inner walls) include stoppers 27 to prevent rotation of the feed bobbin and the reel bobbin.

With respect to claim 3, as illustrated in Figures 1-6, the holding mechanism of Yamaguchi teaches a bobbin-receiving portion generally illustrated at 13, for receiving bobbin flanges.

Art Unit: 2854

With respect to claim 4, as illustrated in Figure 1, Yamaguchi teaches a lock portion 17 provided at each flange receiving portion of the feed bobbin, which engages with a corresponding engagement portion 26 of the flanges to function as a wind slack preventive portion.

With respect to claim 5, as illustrated in Figures 1-5, Yamaguchi teaches a narrow receiving portion which opens to a wider receiving portion (illustrated at 13) which operates as a wind meandering preventive portion.

With respect to claims 6 and 7, as illustrated in Figures 1-6, Yamaguchi teaches a flat bottom support section (not numbered) such that when the holding mechanism is disposed on a plane surface with the opening facing upward, the opening is substantially parallel with the plane surface.

With respect to claim 8, as illustrated in Figure 3, the bobbin receiving portions of the first holding member receive and hold the reel and feed bobbin at an interval identical a printing interval.

3. Claims 1, 6, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Wouters et al. (US 5,415,486). As illustrated in Figure 1, Wouters et al. teaches a holding mechanism 10 for holding a replacement ink ribbon comprising a feed bobbin and a reel bobbin. Wouters et al. teaches a first holding member having bobbin-receiving portions 25, 26, 27, and 28. Wouters et al. also teaches an opening (not numbered), with a second holding member 17 having a plate-shape for covering the opening of the first holding member.

Art Unit: 2854

With respect to claims 6 and 7, as illustrated in Figure 1, Wouters et al. teaches a flat bottom support section (not numbered) such that when the holding mechanism is disposed on a plane surface with the opening facing upward, the opening is substantially parallel with the plane surface.

With respect to claim 8, as illustrated in Figure 1, the bobbin receiving portions of the first holding member receive and hold the reel and feed bobbin at an interval identical a printing interval, corresponding to locations 43, 44, 45, and 46 on the cassette 41.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wouters et al. (US 5,415,486) in view of Nakae (US 5,399,035). As outlined above, Wouters et al. teaches all the claimed structure, including a second holding section comprising paper as outlined in column 4 line 30. In fact Wouters et al. teaches all the claimed structure except for a first holding member that formed of synthetic resin. In Figure 2, Nakae teaches a holding mechanism similar to that of Wouters. As outlined in column 1 line 25, Nakae teaches a first holding mechanism formed of synthetic resin. To one of ordinary skill in the art it would have been obvious to use the material

Art Unit: 2854

as taught by Nakae, in the apparatus of Wouters et al. because cassette holding mechanisms are routinely made from resins, as taught by Nakae in column 1 lines 24-26.

***Allowable Subject Matter***

6. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 10 is indicated allowable because the prior art of record does not teach or render obvious the total combination claimed, including the first holding member formed of synthetic resin, and the second holding member formed of paper, wherein the second holding member has a cut-planned line at substantially the center portion thereof.

Claim 12 is indicated allowable because the prior art of record does not teach or render obvious the total combination claimed, wherein the second holding member has, on a surface facing the first holding member, an index for loading in place the replacement ink ribbon in an ink ribbon loading apparatus.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (703) 308-2417. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for

Application/Control Number: 10/070,734

Page 6

Art Unit: 2854

the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.

DAG  
April 4, 2003

A handwritten signature in black ink, appearing to read "Ren Yan", with a stylized, cursive script.

**REN YAN  
PRIMARY EXAMINER**